

Order

Michigan Supreme Court
Lansing, Michigan

April 14, 2017

Stephen J. Markman,
Chief Justice

153763

Robert P. Young, Jr.
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

MARGUERITE RAGNOLI and
PAUL RAGNOLI,
Plaintiffs-Appellees,

v

SC: 153763
COA: 325206
Oakland CC: 2014-138563-NO

NORTH OAKLAND-NORTH MACOMB
IMAGING, INC.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 12, 2016 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals. The trial court correctly held that, notwithstanding the low lighting in the parking lot, the presence of wintery weather conditions and of ice on the ground elsewhere on the premises rendered the risk of a black ice patch “open and obvious such that a reasonably prudent person would foresee the danger” of slipping and falling in the parking lot. See *Hoffner v Lanctoe*, 492 Mich 450, 464 (2012). We REMAND this case to the Oakland Circuit Court for reinstatement of the November 12, 2014 order granting summary disposition to the defendant.

BERNSTEIN, J., would deny leave to appeal.



a0411

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 14, 2017


Clerk